



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

February 16, 2018

VIA ECF

Honorable Paul A. Crotty, United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007-1312

Re: *The Century Foundation v. Betsy DeVos, in Her Official Capacity, and
United States Department of Education*, No. 18 Civ. 1128 (PAC)

Dear Judge Crotty:

This Office represents Defendants Betsy DeVos and United States Department of Education (collectively, the “Department”) in the above-referenced case. I write to update the Court on developments in the case, and request that the Court adjourn the hearing on Plaintiff’s motion for a preliminary injunction, which hearing is currently scheduled for February 22, 2018, at 11:30 a.m. (*see* Dkt. No. 19), to February 28, 2018, or, if the Court is unavailable on that date, February 27 or March 1, 2018. Plaintiff consents to this request. This is the parties’ first request for an extension.

In accordance with the Court’s Order, dated February 15, 2018, the Department has extended the comment period that had been scheduled to close today, February 16, 2018, to March 1, 2018. Further, the Department is in the process of responding to Plaintiff’s FOIA requests and has already begun releasing records. The parties believe that these developments may obviate the need for the hearing and permit the resolution of the case without the need for further litigation. Accordingly, the parties request that the hearing be adjourned to one of the proposed dates.

Respectfully submitted,

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